



IN THE UNITED STATES PATENT OFFICE

Application Serial No. 09/719,142

Our Ref.: PT-1877000

CUSTOMER NO. 23607

Applicant: Bernard Charles Sherman

Agent: Neil H. Hughes
Ivor M. Hughes
Barrister & Solicitor
Patent & Trade Mark Agents
Suite 200
175 Commerce Valley Dr. W.
Thornhill, Ontario
Canada L3T 7P6

Title: PHARMACEUTICAL TABLETS COMPRISING AN NSAID AND A
PROSTAGLANDIN

Inventor: Bernard Charles Sherman

Examiner: James M. Spear

Group Art Unit: 1615

Due Date: November 18, 2003

**PRELIMINARY AMENDMENT FOR A CONTINUING PRACTISE APPLICATION IN
RESPONSE TO THE EXAMINER'S ADVISORY ACTION DATED OCTOBER 30, 2003;
AMENDMENTS AND REMARKS**

November 13, 2003

VIA COURIER

The Commissioner of Patents
UNITED STATES PATENT OFFICE
2011 South Clark Place
Customer Window, Mail Stop Appeal Brief-Patents
Crystal Plaza 2, Room 1B03
Arlington, Virginia
U.S.A. 22202

Dear Sir:

This submission is in response to the outstanding Advisory Action dated October 30, 2003 due for response November 18, 2003 in view of the prior filed Notice of Appeal filed June 18, 2003, making an appeal brief due 60 days therefrom, namely August

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18, 2003, which is hereby extended 3 months by filing the appropriate fee with the extension request.

In response Applicant files a preliminary amendment having attached thereto as evidence supporting Applicant's assertions **the Declaration of Dr. Michael Lipp which is hereby incorporated by reference in whole in its entirety with regard to this Amendment.**

As indicated above Applicant encloses a Request for a three month extension of time along with the fee for a large entity of \$950.00 U.S. funds making this response due November 18, 2003. If there is any deficiency or surplusage of the fees enclosed for the Extension of Time (fee), please obtain any such deficiency or credit the surplusage to our Deposit Account No. 08-3255.

Applicant respectfully requests that the following submissions by way of Preliminary Amendment for a Continued Examination (RCE) be entered as a Response to the Examiner's Action dated December 18, 2002 finally rejecting claims 1-11. The required fee in the amount of **\$770.00 USD** in payment of the base filing fee for a Request for Continued Examination (RCE) for a large entity is enclosed.

Applicant encloses herewith a Notarial Copy of the Declaration of Dr. Michael Lipp dated November 12, 2003 as evidence of the arguments presented herein, which declaration is hereby incorporated by reference in its entirety.

Therefore Applicant encloses a cheque in the amount of **\$1,720.00 USD** which consists of \$770.00 USD in payment of the filing fee for the Request for Continued Examination (RCE); and \$950.00 USD in payment of the filing fee for the Three Month Extension of Time. If there are any fees required as a result of amendments made in this response, the Commissioner is hereby authorized to debit our Deposit Account No. 08-3255.